

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

UNITED STATES OF AMERICA

v.

**MAXWELL STERLING JENSEN
a/k/a “Max”**

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CASE NO. 1:25-cr-257

**UNOPPOSED EMERGENCY MOTION TO PERMIT EXTENDED ATTORNEY-
CLIENT TELEPHONIC COMMUNICATIONS AND TO ADDRESS FACILITY-
IMPOSED BARRIERS TO ATTORNEY ACCESS**

COMES NOW Defendant, by and through undersigned counsel, and respectfully moves this Honorable Court for emergency relief to ensure meaningful attorney-client communication. Specifically, counsel requests an Order permitting attorney-client telephone calls in excess of the current thirty (30) minute limitation and directing the Dona Ana County (NM) Detention Center to promptly remedy administrative barriers that have prevented counsel from being approved to communicate with the client. In support thereof, counsel states as follows:

I. EMERGENCY NATURE OF THE MOTION

This Motion is filed on an emergency basis because counsel has been unable to meaningfully communicate with the client, and in certain instances has been unable to speak with the client at all, due to administrative and procedural obstacles imposed by the Dona Ana County (NM) Detention Center.

Absent immediate court intervention, these restrictions will continue to prejudice the client’s right to counsel and impair counsel’s ability to prepare for upcoming hearings, deadlines, trial, expert preparation, and other time-sensitive proceedings.

II. FACTUAL BACKGROUND

Defendant Maxwell Sterling Jensen is currently housed at the Dona Ana County (NM) Detention Center. In practice, counsel has encountered significant and ongoing difficulties in attempting to obtain approval to communicate with the client, including delays, denials, and unresolved administrative requirements imposed by the facility. Any phone calls that are, in fact, able to be made, are done pursuant to a recorded line, chilling the potential for free and open communications contemplated by the attorney-client privilege. As a result of these barriers, counsel has not yet been able to speak with the client in a meaningful or consistent manner, despite diligent efforts to comply with facility procedures. These difficulties are not attributable to counsel or the client, but rather to facility-imposed administrative obstacles that remain unresolved, despite counsel's numerous attempts to comply with the detention center's stated procedural rules. Even if approval is ultimately granted, the current limitation—particularly when combined with technical delays and call disruptions—will be inadequate to permit effective representation in this matter.

III. IMPACT ON RIGHT TO COUNSEL

The inability of counsel to communicate with a client—particularly at critical stages of litigation—undermines the client's constitutional right to the effective assistance of counsel and impairs counsel's ethical obligations. Attorney-client communication must be meaningful, confidential, and sufficient in duration to allow discussion of legal strategy, factual development, and case preparation. Artificial time limits and administrative barriers that prevent access altogether are incompatible with these fundamental principles.

IV. REQUEST FOR EXTENDED ATTORNEY-CLIENT CALLS AND COURT INTERVENTION

Given the facility-imposed delays and the complexity and urgency of this matter, counsel respectfully requests that this Court:

Authorize attorney-client telephone calls in excess of thirty (30) minutes, as reasonably necessary for effective representation; and

Direct the Dona Ana County (NM) Detention Center to promptly facilitate attorney access and remove administrative barriers that have prevented counsel from being approved and from communicating with the client.

V. GOOD-FAITH EFFORTS

Counsel has made good-faith efforts to resolve these issues directly with the facility without court intervention. Despite those efforts, the barriers to communication persist, necessitating emergency relief from this Court.

VI. CERTIFICATE OF CONFERENCE

Pursuant to S.D. Tex. Cr. LR 12.2, counsel for Maxwell Sterling Jensen conferred with Assistant United States Attorney James Henry Sturgis, as to his position in this Motion and he is unopposed.

In addition, undersigned counsel conferred with Alyson Hehr, Assistant United States Attorney with the District of New Mexico, as to her position in this Motion and she is unopposed.

VII. RELIEF REQUESTED

WHEREFORE, Defendant Maxwell Sterling Jensen, by and through undersigned counsel, respectfully requests that this Honorable Court enter an Order:

- Permitting attorney-client telephone calls exceeding thirty (30) minutes, as reasonably necessary;
- Authorizing consecutive or uninterrupted attorney-client call blocks where needed;
- Directing Dona Ana County Detention Center to promptly approve counsel for attorney-client communications and to remove administrative obstacles preventing access;
- Ordering that attorney-client communications be facilitated without unreasonable delay or interruption; and

Grant such other and further relief as the Court deems just and proper.

Respectfully submitted,

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ATTORNEYS FOR DEFENDANT

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served via e-mail on this 22nd day of December 2025 to the following:

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/s/ Benigno (Trey) Martinez
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